

Glenda Wiles

From: douglas.p.nation@gskbio.com
Sent: Thursday, February 07, 2008 2:40 PM
To: Glenda Wiles
Subject: Comment on Interim Streamside Setback Regulations

Dear Ravalli County Commissioners,

I strongly support enacting the interim Streamside Setback Regulations proposed by the Streamside Setback Committee (SSBC) formed by the Ravalli County Commissioners last year. The committee has done a wonderful job in compiling existing data, addressing public comment, and finding acceptable compromise that balances personal property rights and protection of the publicly owned natural resources.

The arguments supporting enacting these interim regulations are numerous and include:

- **Protection of water quality.** The water quality in the lower Bitterroot River – north of Stevensville - is approaching the water quality guidelines expected to soon be established by MT DEQ for nitrogen and phosphorus in western Montana Rivers. It would be unwise, economically and as related to public health, to wait for those levels in the river to exceed the DEQ guidelines before attempting to address them. We have the opportunity to reduce further degradation of water quality by simply enacting the Interim Regulations now and addressing long term degradation by enacting the permanent regulations later this year. I urge you to take this simple step.
- **Fish and Wildlife Habitat.** The importance and benefit of undisturbed, or minimally disturbed, riparian areas to fish and wildlife that are a public resource owned by all Montanans has been made abundantly clear by presentations by a number of fish & wildlife experts.
- **Economic Impact.** The protection of clean water and healthy ecosystem that promote tourism is critically important to the Ravalli County economy.
- **Public Health and Safety.** Enacting the Interim Setback regulations will minimize placement of additional houses in unwise locations and reduce the risk of loss due to flooding. It will also reduce the need for “hard armor” bank stabilization techniques and minimize the erosion impact to downstream and, possibly, upstream landowners.
- **Financial Impact to County Budget and Resources.** Having no additional homes placed in danger of flooding will reduce the call for county resources to protect those structures or clean up the mess after a catastrophic event. The risk of a successful lawsuit against the county for regulations put in place to protect natural resources and public health and safety, as made apparent by the presentation from Dr Mudd, a professor at UM School of Law, is virtually nil, assuming that reasonable effort to scientifically justify those regulations exists. In this context, the scientific justification is approaching overwhelming.

One of the most important aspects of the multifaceted job of a County Commissioner is to be an effective steward of the natural resources, quality of life, and public health and safety of the current and future county residents. The Interim Streamside Setback Regulations address all three of those important considerations. I urge you to **do your job** and enact the Interim Streamside Setback Regulations as soon as possible.

Best Regards,

2/7/2008

Doug Nation
Hamilton, MT

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